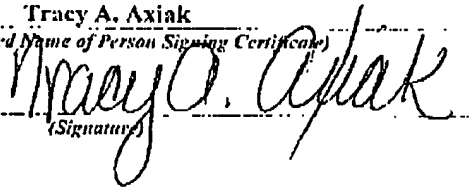


BEST AVAILABLE COPY

MAR-10-2006 FRI 03:57 PM CANTOR COLBURN LLP

FAX NO. 8602860115

P. 01/08

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No. APH-0152	
Applicant(s): Undheim, et al.				
Application No. 10/539,759	Filing Date June 20, 2005	Examiner NYA	Group Art Unit NYA	
Invention: MACROLIDES				
RECEIVED CENTRAL FAX CENTER MAR 10 2006				
I hereby certify that this <u>Transmittal Letter (3 pages); Declaration (2 pages); Copy of Notice of Miss Req.</u> (Identify type of correspondence) is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>571-273-8300</u>) on <u>March 10, 2006</u> (Date)				
<div>Tracy A. Axiak (Typed or Printed Name of Person Signing Certificate)</div> <div> (Signature)</div>				
Note: Each paper must have its own certificate of mailing.				



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22303-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/539,759	Kjell Undheim	DEH-0018

APH-0152

23413
CANTOR COLBURN, LLP
55 GRIFFIN ROAD SOUTH
BLOOMFIELD, CT 06002

RECEIVED
CENTRAL FAX CENTER

MAR 10 2006

INTERNATIONAL APPLICATION NO.	
PCT/GB03/05659	
INT. FILING DATE	PRIORITY DATE
12/22/2003	12/20/2002

CONFIRMATION NO. 5906

371 FORMALITIES LETTER

OC000000017980088

Date Mailed: 02/09/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/20/2005
- Copy of the International Search Report filed on 06/20/2005
- Copy of IPE Report filed on 06/20/2005
- Preliminary Amendments filed on 06/20/2005
- Information Disclosure Statements filed on 06/20/2005
- U.S. Basic National Fees filed on 06/20/2005
- Priority Documents filed on 06/20/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

MAR-10-2006 FRI 03:59 PM CANTOR COLBURN LLP

FAX NO. 8602860115

P. 08/08

Page 2 of 2

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

CHARITIA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/539,750	PCT/GB03/05659	DEH-0018

FORM PCT/DO/EO/905 (371 Formalities Notice)

<small>FORM PTO 1370 (Modified) 10/1/2005</small> U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE		ATTORNEY'S DOCKET NUMBER APH-0152
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/539,759
INTERNATIONAL APPLICATION NO. PCT/GB2003/005659	INTERNATIONAL FILING DATE 12/22/2003	PRIORITY DATE CLAIMED 12/20/2002
TITLE OF INVENTION MACROLIDES		
APPLICANT(S) FOR DO/EO/US Kjell Fredheim Selvi Ganes		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). 11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409). 12. <input type="checkbox"/> A copy of the International Search Report (PCT/ISA/210). <p>Items 13 to 23 below concern document(s) or information included:</p> <ol style="list-style-type: none"> 13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 15. <input type="checkbox"/> A FIRST preliminary amendment. 16. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 17. <input type="checkbox"/> A substitute specification. 18. <input type="checkbox"/> A power of attorney and/or change of address letter. 19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825. 20. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 21. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4). 22. <input type="checkbox"/> Express Mail Label No. 		

RECEIVED
CENTRAL FAX CENTER
MAR 10 2006

PTO-1300 (Rev. 07-2005)
 Approved for use through 3/31/2007 OMB 0651-0021
 U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
 Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER
10/539,759	PCT/GB2003/005659	APH-0152

23. Other items or information:
 Copy of Notification of Missing Requirements under 35 U.S.C. 371 in the United States designate/elected Office (DOE/US);
 and Postcard

The following fees have been submitted:		CALCULATIONS	PTO USE
24. <input type="checkbox"/> Basic national fee	\$300	\$	\$0.00
25. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))		\$	\$0.00
If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4), ...		\$	\$0.00
All other situations.		\$	\$200
26. <input type="checkbox"/> Search fee (37 CFR 1.492(b))		\$	\$0.00
If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4), ...		\$	\$0.00
Search fee (37 CFR 1.415(n)(2)) has been paid on the international application to the ...		\$	\$100
International Search Report prepared by an ISA other than the US and provided to the ...		\$	\$400
All other situations.		\$	\$500
TOTAL OF 24, 25 and 26 =		\$	\$0.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(i)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.			
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE
- 100 =	0	/50 =	0
			x \$250.00
		\$	\$0.00
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).			
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	- 20 =	0	x \$50.00
Independent claims	- 3 =	0	x \$200.00
MULTIPLE DEPENDENT CLAIMS (if applicable)		<input type="checkbox"/>	+ \$360.00
TOTAL OF ABOVE CALCULATIONS =		\$	\$0.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.			
SUBTOTAL =		\$	\$0.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).		\$	\$130.00
TOTAL NATIONAL FEE =		\$	\$130.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property		\$	\$0.00
TOTAL FEES ENCLOSED =		\$	130
Amount to be		\$	
Amount to be		\$	

BEST AVAILABLE COPY

MAR-10-2006 FRI 03:58 PM CANTOR COLBURN LLP

FAX NO. 8602860115

P. 04/08

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 06-1130 in the amount of \$ \$130.00 to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1130. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Cantor Colburn, LLP
55 Griffin Road South
Bloomfield, CT 06002
Phone No. 860-286-2929

Karen A. LeCuyer
SIGNATURE

Karen A. LeCuyer

NAME

51,928

REGISTRATION NUMBER

March 10, 2006

DATE